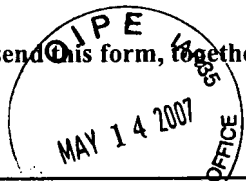


# PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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**P.O. Box 1450**  
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CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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24024 7590 02/28/2007

**CALFEE HALTER & GRISWOLD, LLP**  
**800 SUPERIOR AVENUE**  
**SUITE 1400**  
**CLEVELAND, OH 44114**

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Robin D. Burger

(Depositor's name)

(Signature)

(Date)

05/14/2007 FMETEK12 00000052 10726771

01 FC:2501 700.00 DP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,771	12/02/2003	Arjan Duresi	18525.04069	4198

TITLE OF INVENTION: METHOD AND APPARATUS FOR MONITORING THE QUALITY OF OPTICAL LINKS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$0	\$0	\$700	05/29/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGUYEN, TU T	2886	356-073100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 Calfee Halter &
- 2 Griswold LLP
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

The Ohio State University

Columbus, Ohio

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☒ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

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- ☒ A check is enclosed.
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- ☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 03-0172 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Alan C. Brandt

Date

10 May 2007

Typed or printed name

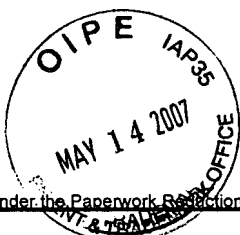
Alan C. Brandt

Registration No.

50,218

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Approved for use through 03/31/2007. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/726,771

Filing Date December 2, 2003

First Named Inventor Durrese et al.

Art Unit 2877

Examiner Name Tu T Nguyen

Attorney Docket Number 18525.04069

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Comments on Statement of Reasons for Allowance
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	- Check \$700
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Calfee, Halter & Griswold LLP		
Signature			
Printed name	Alan C. Brandt		
Date	May 10, 2007	Reg. No.	50,218

**CERTIFICATE OF TRANSMISSION/MAILING**

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Signature			
Typed or printed name	Robin D. Burge	Date	May 10, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Robin D. Burger

Name of Person Signing (Type or Print)

Signed: 

Customer Number  
24024

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Durrese et al.	)	Examiner: Tu T Nguyen
		)	
Serial No.:	10/726,771	)	Group Art Unit: 2886
		)	
Filed:	December 2, 2003	)	Confirmation No.: 4198
		)	
For:	<b>METHOD AND</b>	)	Attorney Docket No.: 18525.04069
	<b>APPARATUS FOR</b>	)	
	<b>MONITORING THE</b>	)	
	<b>QUALITY OF OPTICAL</b>	)	
	<b>LINKS</b>	)	

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Ladies and Gentlemen:

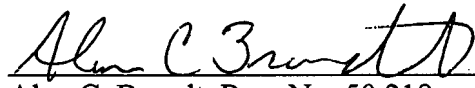
The applicants gratefully acknowledge the indication as to the allowance of the present application. However the applicants respectfully submit that the Statement of Reasons for Allowance are, in and of themselves, inappropriate. It is noted that reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make

clear his or her reasons for allowing a claim or claims.” (37 CFR §1.104(e)). In the present case, the applicants believe the record as a whole does make the reasons for allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicants do not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account the applicants’ claimed invention as reflected in the specification and the applicants’ responses to Office Actions. Therefore, while the applicants believe the claims are allowable, the applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

Date: 10 May 2007

  
\_\_\_\_\_  
Alan C, Brandt, Reg. No. 50,218  
(216) 622-8568  
(216) 241-0816 facsimile